



# Board of Licensure for Landscape Architects

August 2013

## What's new

### Discussion topics from the July board meeting

The board used their summer board meeting for board-related training including a presentation on the disciplinary process and ethics training specifically for board members.

To find out more about the July meeting and other past meetings, visit our [website](#). You can review past meeting minutes and listen to audio recordings of meetings. Attend the meetings in person to hear the complete discussions and earn continuing education credit.

### **2013 Board Meeting Schedule**

Meeting agendas and minutes will be published on our [website](#) as they become available.

October 17 Washington State University, Pullman

All meetings start at 9:30 AM and 2014 meeting dates will be set at the October meeting

The October 17 board meeting will take place at Washington State University. Board members and staff will meet with students in the Landscape Architecture Program to answer questions about licensing.

### **Your board members:**

Karen Kiest, Chair – Seattle

Deborah Peters, Vice Chair – Lake Forest Park

Len Zickler, Secretary – Spokane

William Bernstein – Seattle

Rebecca Malleck – Tumwater

### **CLARB Annual Meeting**

Board Chair Karen Kiest, Vice Chair Deb Peters, and Administrator Lorin Doyle will attend the Council of Landscape Architectural Registration Boards (CLARB) annual meeting in September. Karen, Deb, and Lorin will attend a workshop on regulating welfare, discuss the Landscape Architect Registration Exam (L.A. R. E.), and participate in the election of CLARB officers. The annual meeting is an opportunity for board members and staff to network with counterparts from around the country.

## Licensee news

Congratulations! The Board of Licensure for Landscape Architects and staff welcomed 7 new licensees to the profession between May 1, 2013 and July 31, 2013:

<u>By Examination (3)</u>	<u>By Reciprocity (4)</u>
Bret R. Belyea	Steven Anthony Canada
Lan-Yin Chen	Timothy James Gibbon
Matthew Gene Martenson	Tracy Lyn Johnson
	Meredith Grace Sessions

## Complaints and disciplinary activity

The Board of Licensure for Landscape Architects regulates the industry by investigating complaints of unprofessional conduct and incompetence against licensees, and issues of unlicensed practice.

When a complaint is received by the board, an initial investigation is started to gather information about the situation, and usually involves contact with the subject of the complaint (the respondent). A board member is assigned as a case manager and serves as the technical expert. The investigation process can be lengthy and the case has several possible outcomes. The case may be closed by the board with no further action if not enough evidence is found to support the complaint or the respondent quickly remedies the situation. For more serious issues, the board may issue a statement of charges against the respondent, with sanctions for each offense. The respondent has an opportunity for a settlement conference to negotiate the sanctions or can ask for a hearing. To see details of past and current disciplinary orders, visit our [website](#).

### Current Cases:

Unlicensed practice	0
Unprofessional conduct	2
Total open cases:	2

The board closed five complaints at the July 18, 2013 meeting.

Case number	Allegation	Board Action
2013-02-1300-00LAN Terra Bella – Grant Keller	Unlicensed practice	The complaint alleged the respondent represented himself as a landscape architect during a discussion of the profession of landscape architecture at a home and garden show as well as on his website. An investigation revealed a lack of evidence regarding the home and garden show, but the phrase “landscape architecture *****” was found on the respondent’s website. The respondent responded promptly to remove the protected language from his advertising, and the board closed the case with no further action because the respondent complied.
2013-02-1301-00LAN Damon Broers	Unlicensed practice	The complaint alleged the respondent was listed as a landscape architect on the website LinkedIn. The respondent responded promptly and removed the protected language from the website and the board closed the case with no further action because the respondent complied.
2013-04-1302-00LAN Sunrise Landscaping & Tree Removal – Mark Prosser	Unlicensed practice	The complaint alleged the respondent was advertising landscape architecture services on his website. During an investigation, the respondent provided the name of a licensed landscape architect working with his company and updated the website with the licensee’s name. The case was closed due to no violation of law or rule.
2013-04-1304-00LAN	Unprofessional conduct	The complaint alleged the respondents engaged in willful, unlawful, and deceptive reporting as to their roles in projects completed with the complainant (a former employer). The respondents referenced those projects after opening their own landscape architectural firm. The case manager recommended closing the case with no further action due to a lack of evidence and the board agreed. Upon closure of the case, a letter was sent to the complainant suggesting best practices that could help avoid confusion in the future.

2013-04-1300-00LAN Richard Hartlage	Unlicensed practice	The complaint alleged the respondent presented himself as a landscape architect, “in print articles, business cards and verbal interactions with clients and design professionals.” Additionally, the complaint alleged he incorrectly presented qualifications to be able to sit for the Landscape Architect Registration Examination (L.A.R.E.). An investigation revealed past online references to him being a landscape architect, but no current violation. The respondent appears to have enough experience to sit for the L.A.R.E. and intends to do so. The case was closed due to no current violation of law or rule, and a letter was sent to the complainant suggesting best practices that could help avoid confusion in the future.
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Also at the July 18, 2013 meeting, the board accepted one default order.

Case	Board Action
2013-10-1300-00LAN Joseph Bergevin – JD Bergevin Homes, Inc.	<p>Violations: The Respondent, on or before October 15, 2012, offered landscape architect services on his company’s business signs, “JD Bergevin Homes, Inc. / Building with Integrity / Additions / Remodels / Custom Homes / Landscape Architecture.”</p> <p>Sanctions:</p> <ul style="list-style-type: none"> <li>Respondent shall permanently cease and desist from practicing or offering to practice professional services for others in the state of Washington as a landscape architect and using in connection with his name the title Landscape Architect or other language in such a way as to convey the impression that he is a licensed landscape architect or landscape architectural firm.</li> <li>Respondent is assessed a fine of \$1,000.</li> </ul>

### **Keeping your license active – remember these 3 tips:**

1. Renewal fees are due every other birthday and are your responsibility.
2. Renewal notices are a courtesy—you are accountable for renewing even if you don’t receive a notice.
3. You should notify our office when you change your address: [landscape@dol.wa.gov](mailto:landscape@dol.wa.gov) or 360-664-1497.

### **Do your fellow landscape architects get these announcements?**

They should. Please tell them to sign up to the Landscape Architects’ ListServ® electronic mailing list. They can join the Listserv® by visiting our [website](#) and following these steps:

- Select the “Landscape Architects ListServ®” link
- Select the “Subscribe or Unsubscribe” link
- Enter your email address and name, then select the “Subscribe” button
- You will be sent a confirmation email, and then you will be added to the list

**Skip a trip – go online: [www.dol.wa.gov](http://www.dol.wa.gov)**

We are committed to providing equal access to our services.  
If you need accommodation, please call 360-664-6597 or TTY 360-664-0116.

Board of Licensure for Landscape Architects		Washington State Department of Licensing
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